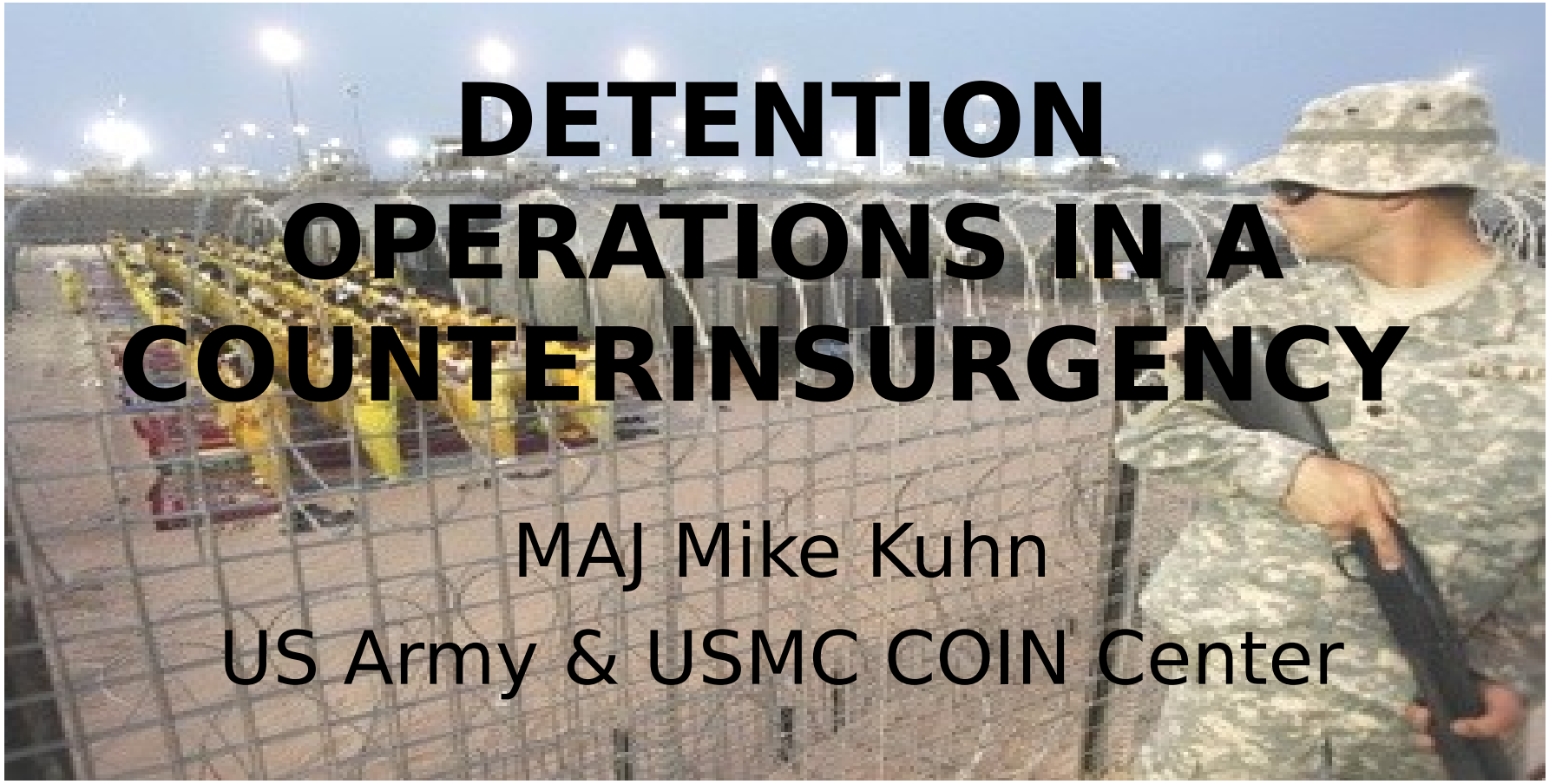
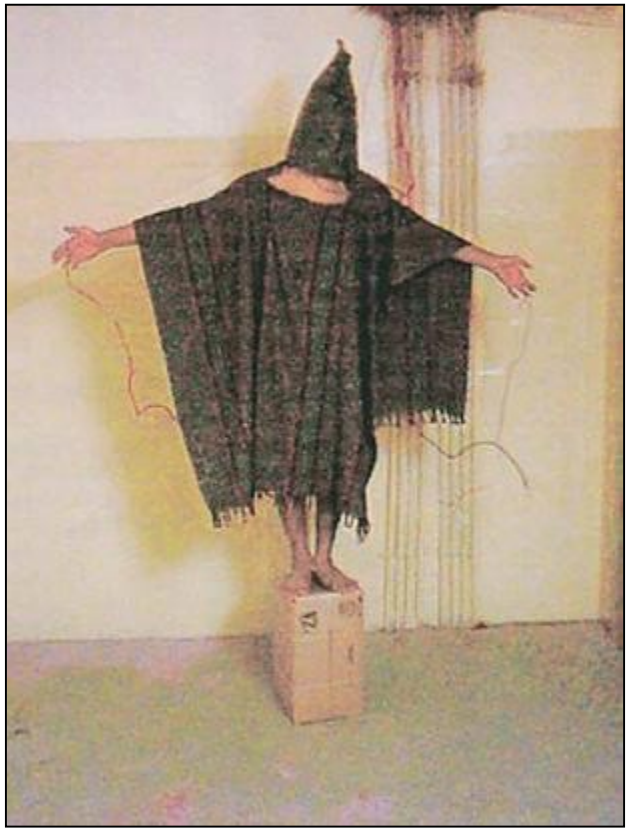


DETENTION OPERATIONS IN A COUNTERINSURGENCY

MAJ Mike Kuhn
US Army & USMC COIN Center

Why talk about Detention Operations in COIN?

"The mistreatment by soldiers at Abu Ghraib in the fall of 2003 was documented in photographs and videos showing naked detainees being frightened, beaten and forced into humiliating sexual positions. President Bush ultimately apologized for the abuses, which military leaders acknowledge helped fuel the insurgency in Iraq."



"U.S. Prisons in Iraq Nearly Full With Rise in Insurgent Arrests", Washington Post, 21 JAN 05

CARE AND CUSTODY WITH DIGNITY AND RESPECT

"What sets us apart from our enemies in this fight... is how we behave. In everything we do, we must observe the standards and values that dictate that we treat noncombatants and detainees with dignity and respect. While we are warriors, we are also all human beings."

GEN Petraeus 10 MAY 2007 Memo to MNF-I

Topics

- **Definitions**
- **COIN Concepts in Detention Operations**
- **Tactical Site Exploitation**
- **Operations By, With, and Through HN SF**
- **Questions & Feedback**

Definitions

EPW

Clearly identified as a member of the opposing forces e.g., wearing a uniform or possessing other specific identification as the OPFOR

Enemy Combatant

Used to define the status of what the US considers to be unlawful combatants e.g.Al Qa'eida

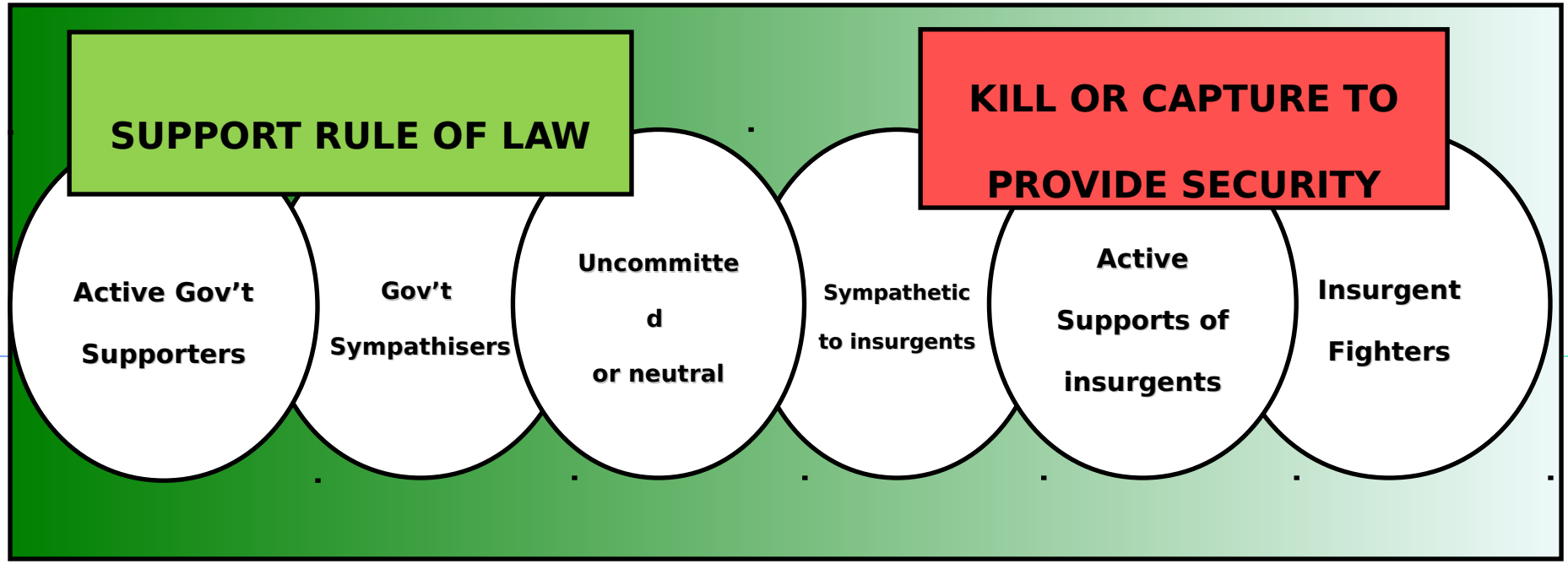
Security Detainee:

Identified as a security threat to US or other partner nation forces, ie; killing or attempting to assault or kill coalition forces, etc…

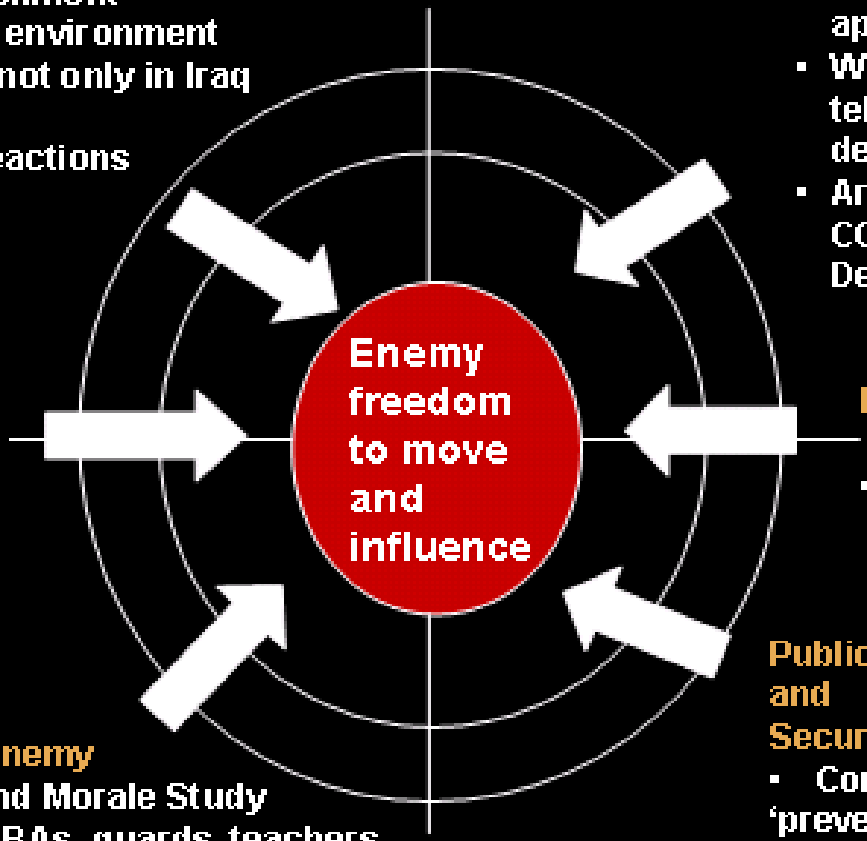
Criminal Detainee:

Identified as committing a crime against the host nation people/government.

How does Det Ops fit into COIN?



Consolidate and Strengthen ***Protect*** ***Persuade*** ***Dissuade*** ***Deter*** ***Marginalize or Defeat***



Informing and Influencing Operations

- Shaping visitation environment
- Shaping detainee media environment
- Generate positive news not only in Iraq but GME
- Get out in front of AQI reactions

Provision of Essential Services

- Start contesting social services arena
- Combine visitations with health care checkups for families
- TIFRIC factories should be targeted to address under-employment

Reporting on Enemy

- Motivation and Morale Study
- Network of BBAs, guards, teachers
- Visitations
- Releases

Force Employment

- Can we win by 'killing and capturing them all' approach?
- What does recidivism tells us about lack of deterrence?
- Are we coordinating COIN strategy with Detainee authorities?

Partnering with Indigenous Security Forces

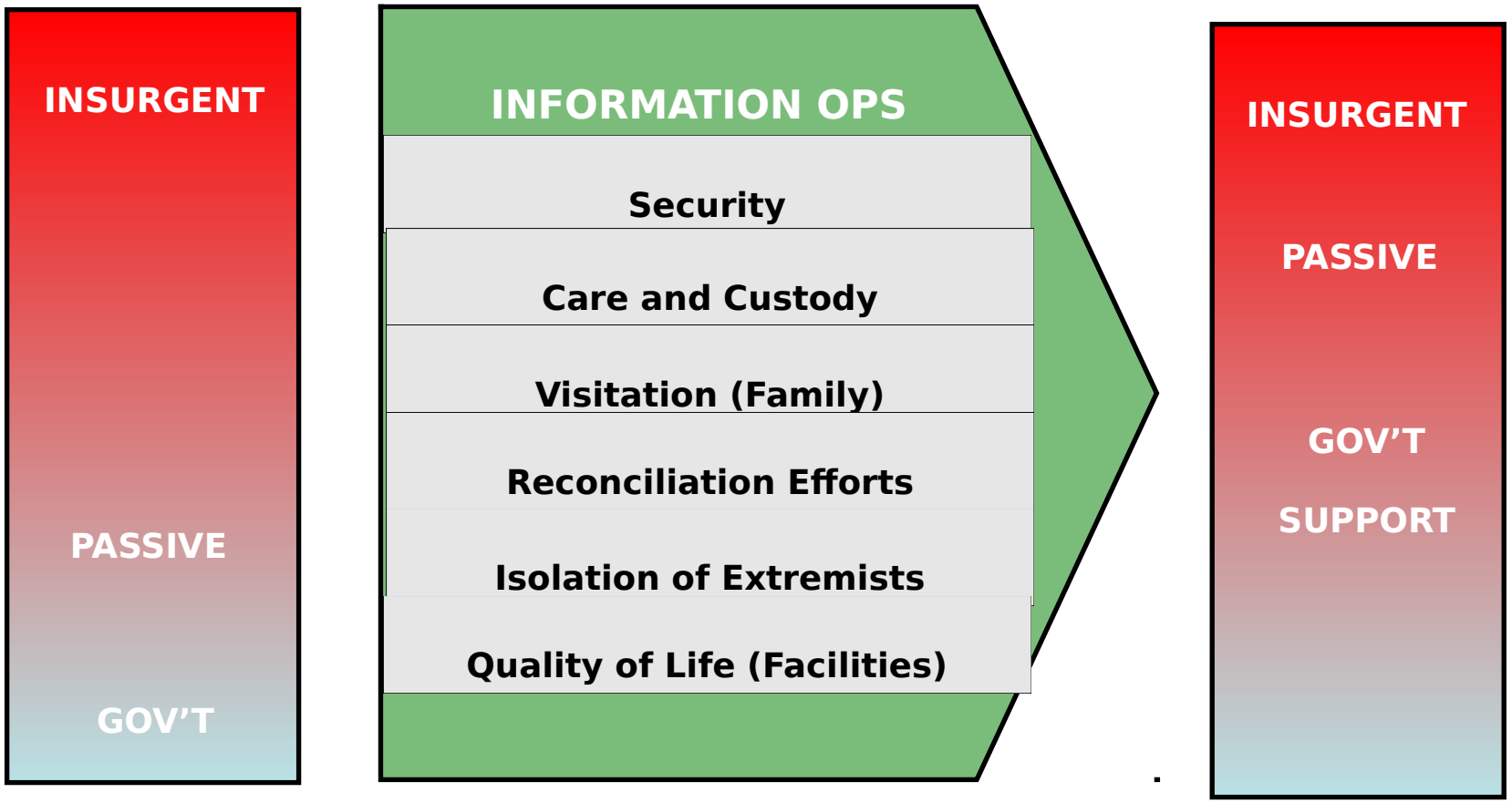
- Working with refugees to rebuild Iraq?

Public Safety and Security

- Community outreach 'prevention' program
- Disengagement programs (TIFRIC)

RAND Study done for TF 134 MAY 2008

Detention Operations LOOs



COIN *vis a vis* Detention Operations

"Soldiers performing COIN must understand that the activities that occur within the realm of detention do not always remain within the confines of the restricted area but can have a profound effect on

Det Ops Overarching Themes

Detain with Purpose

House with Respect

Release with Dignity

RAND Study done for TF 134 MAY 2008

How Detention Operations supports Warfighters Outside the Wire in COIN

Care and Custody

Insurgents must be isolated from their cause and support

Intelligence Exploitation

Intelligence drives operations

Case Review

Legitimacy is the main objective

Reintegration

Security under the rule of law is essential

Reconciliation

Insurgents must be isolated from their cause and support

Det Ops at the Tactical Level …By, With, and Through

- **Operations conducted as combined patrols** – based on actionable intelligence and focused on gathering evidence that can be used to prosecute
- **Detainees taken into custody by Host Nation Security Forces** – in accordance with their laws

- **Units may also be responsible for inspection of local Host Nation jails** – purpose is to assure fundamental human rights norms are not violated, but most importantly to help prop up the legitimacy of the local Security Forces and promote Rule of Law

Tactical Site Exploitation

Why are my Steely Eyed Killers playing CSI???!

- **Treating your OBJ as a Crime Scene**
  - **If your Soldiers think that they're done once they've captured the Target and do not pay attention to evidence…**
    - Critical intelligence may be lost
    - Detainee may have to be released because there is no evidence to prosecute them in HN Legal System
  - **Leaders/Soldiers must understand HN Laws and what constitutes "evidence"**
    - Convictions are critical. Without a conviction in HN court the bad guy might be coming back to your AO a lot sooner than you'd like…
    - Talk to your SJA for clarification
  - **If there are Military Police or civilian Law Enforcement Professionals (LEPs) assigned to your unit, USE THEM!**

COIN in DetOps in action…

“ One detainee leader said he originally came to Iraq to kill Americans, but his treatment in the camp had changed his view…He was sincere and there were occasions when he was helpful in calming detainees during disturbances, a true measurement of effective COIN.”

LTC John F. Hussey, “Counterinsurgency Operations within the Wire: The 306th MP Battalion Experience at Abu Ghraib”

What is the End State We're Working Towards?

- Supporting / building Host Nation Capacity to conduct Rule of Law based detention that conforms with international norms and standards on Human Rights
  - Helping the HN towards a "Corrections" model

If the populace sees the HN Security Forces (particularly their Police) as a dispassionate force that is part of a functional overall Justice System this enforces the legitimacy of the HN government

QUESTIONS &
FURTHER DISCUSSION